

**From:** Paul Lussier  
**To:** Microsoft ATR  
**Date:** 1/23/02 9:03am  
**Subject:** Microsoft Settlement

To whom it may concern,

I am writing, under provision of the Tunney Act, to voice my objection to the currently Proposed Final Judgement against Microsoft. Because of the many inherent flaws in the current PFJ, this settlement is tantamount to allowing this company (Microsoft) walk away from a finding of fact that they are in violation of the Sherman Antitrust Act with less than the figurative "slap on the wrist".

The current settlement makes absolutely no provision for enforcement or technical review. It leaves enforcement upto the legel system, which is quite ill-prepared to deal with such technical situations.

Additionally, though the PFJ requires increased disclosure of technical information, there is no provision for advance notice of these technical requirements. As a result, things like API documentation can be released too late to help an ISV. Also, because of the narrow definitions of "Middleware" and "API", Section IIID's requirement to release this information about Windows interfaces excludes many important interfaces required for seamless integration of ISV products into the Windows Operating Environment.

Another major problem is that there is nothing in the PFJ which requires documentation of file formats. This one area is one in which Microsoft has used to their advantage time and again to lock out the competition. Each version of Microsoft Word (not to mention every other Microsoft Office Application) has has a different file format than the previous versions, all incompatible with each other. This has the effect of forcing individuals and companies to upgrade a major part of their infrastructure just so they read documents sent to them. It becomes a vicious circle which repeats itself each time there is a new release of MS Office.

These are but only a few of the flaws with the current settlement proposal. There are many, many more (see <http://www.kegel.com/remedy/remedy2.html>)

In conclusion, I request that this Proposal for Final Judgement be rejected and another, better proposal be drafted with the aid of technically proficient members from the software industry.

Thank you for your time and consideration in this matter.

Sincerely,

Paul Lussier  
226 Page Street,  
Lunenburg, MA, 01462

CC: The Honorable Senators John Kerry and Ted Kennedy (MA)  
The Honorable Representative John Olver (MA)  
The Honorable Governor Jane Swift (MA)  
The Honorable State Senator Thomas Birmingham (President of the Senate, MA)  
The Honorable State Senator Robert Antonioni (MA)  
The Honorable State Representative Robert Hargraves (MA)  
Mr. William Francis Galvin, Secretary of the Commonwealth of Massachusetts  
Mr. Thomas P. Reilly, Attorney General of the Commonwealth of Massachusetts

CC: John Kerry, senator@kennedy.senate.gov@inetgw, GOffi...